

**FILED**

January 14, 2025

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: \_\_\_\_\_ NM  
DEPUTY

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**MARK TYSON,**

**Plaintiff,**

**v.**

**CIVIL NO. SA-23-CV-01423-OLG**

**LAUNCH TECHNICAL  
WORKFORCE SOLUTIONS, LLC,**

**Defendant.**

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court has considered United States Magistrate Judge Henry J. Bemporad's Report and Recommendation (R&R), filed December 11, 2024, concerning Defendant's Revised Motion to Dismiss Plaintiff's Second Amended Complaint (Dkt. No. 39). (See R&R, Dkt. No. 45.)

Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file specific written objections within fourteen days after being served with a copy of the findings and recommendations. FED. R. CIV. P. 72(b)(2). The parties through counsel, were electronically served with a copy of the R&R on December 12, 2024, and the time to object has passed.

Because no party has objected to the Magistrate Judge's findings or recommendations, the Court reviews the R&R for clear error. See *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989); cf. 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which an objection is made.") After such review, the Court finds that the R&R is neither clearly erroneous nor contrary to law.

Accordingly, the Court **ADOPTS** the Magistrate Judge's R&R (Dkt. No. 45) and, for the reasons set forth therein, Defendant's Revised Motion to Dismiss (Dkt. No. 39) is **GRANTED**, and Plaintiff's claims in the Second Amended Complaint are **DISMISSED**.

This case is **CLOSED**.

It is so **ORDERED**.

SIGNED this 14 day of January, 2025.



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ORLANDO L. GARCIA  
United States District Judge